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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/942,236	
	Filing Date	August 29, 2001	
	First Named Inventor	Hillstead, et al.	
	Group Art Unit	3739	
	Examiner Name	Not yet Assigned	
Total Number of Pages in This Submission	31	Attorney Docket Number	HILL 100

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input checked="" type="checkbox"/> Copy Notice to File Missing Parts	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) Formal Drawings with Cover Sheet <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Declaration for Utility or Design Application - Certificate of Mailing - Return Receipt Postcard
Remarks U.S. Post Office Express Mail Label No. EL845497794US		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd. Gary W. McFarron, Esq. (Reg. No. 27, 357)
Signature	<i>Gary W. McFarron</i>
Date	January 28, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>January 28, 2002</u>	
Typed or printed name	Jeannie Rapstad
Signature	<i>Jeannie Rapstad</i>
Date	January 28, 2002

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PATENT
Attorney Docket No. HILL 100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Richard A. Hillstead, et al.
Serial No.: 09/942,236
Filed: August 29, 2001
Group Art No.: 3739
Examiner: Not yet Assigned
For: MEDICAL INSTRUMENT

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"Express Mail" Mailing Label No.: EL845497794US

Date of Deposit January 28, 2002

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NAME Jeannie Rapstad

SIGNATURE Jeannie Rapstad

Certificate of Mailing Under 37 CFR 1.10

Commissioner for Patents
U.S. Patent & Trademark Office
Attn: Box Missing Parts
Washington, D.C. 20231

I hereby certify that the correspondence listed below is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, **Label No. EL845497794US** under 37 CFR 1.10 on **January 28, 2002** and is addressed to: Commissioner for Patents, Attn: Box Patent Applications, Washington, D.C. 20231:

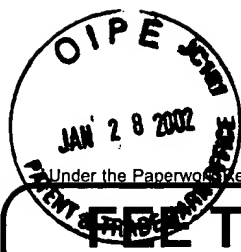
1. Transmittal Form PTO/SB/21 (1 sheet);
2. Copy of Notice to File Missing Parts (2 sheets);
3. Power of Attorney or Authorization of Agent (2 sheets);
4. Declaration for Utility or Design Application (2 sheets);
5. Submission of Formal Drawings Cover Sheet (1 sheet);
6. Formal Drawings (20 sheets);
7. Petition for Extension of Time PTO/Sb/22 (in duplicate, 2 sheets total);
8. Fee Transmittal PTO/SB/17 (in duplicate, 2 sheets total);
9. Certificate of Mailing (1 sheet);
10. Check No. 8061 in the amount of \$265.00 in payment of the filing fees; and
11. Return Receipt Postcard.

EL845497794US

Name: Jeannie Rapstad

Signature: Jeannie Rapstad

20020128 0942236



PATENT FEE TRANSMITTAL for FY 2002 <i>Patent fees are subject to annual revision.</i>		Complete if Known	
		Application Number	09/942,236
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	August 29, 2001
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	Hillstead, et al.
		Examiner Name	Not yet Assigned
		Group Art Unit	3739
		Attorney Docket No.	HILL 100

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																																																																																																															
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES																																																																																																																																																																															
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The Commissioner is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input checked="" type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		<table border="1"><thead><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>65.00</td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>400</td><td>216</td><td>200</td><td>Extension for reply within second month</td><td>200.00</td></tr><tr><td>117</td><td>920</td><td>217</td><td>460</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>320</td><td>219</td><td>160</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>320</td><td>220</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>280</td><td>221</td><td>140</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>460</td><td>243</td><td>230</td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>620</td><td>244</td><td>310</td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr><tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>740</td><td>246</td><td>370</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>149</td><td>740</td><td>249</td><td>370</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>179</td><td>740</td><td>279</td><td>370</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr></tbody></table>		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Gary W. McFarron, Esq.	Registration No. (Attorney/Agent)	27,357
Signature	<i>Gary W. McFarron</i>	Telephone	(312) 236-8500
		Date	January 28, 2002

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PATENT
Attorney Docket No. HILL 100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Richard A. Hillstead, et al.
Serial No.: 09/942,236
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Examiner: Not yet Assigned
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CERTIFICATE OF MAILING BY "EXPRESS MAIL"
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Date of Deposit January 28, 2002

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NAME Jeannie Rapstad

SIGNATURE Jeannie Rapstad

Submission of Formal Drawings

Commissioner for Patents
U.S. Patent & Trademark Office
Washington, D.C. 20231

Attn: Official Draftsman

Enclosed are twenty (20) sheets of formal drawings depicting
Figs. 1 through 39e.

Respectfully submitted,

Date: January 28, 2002

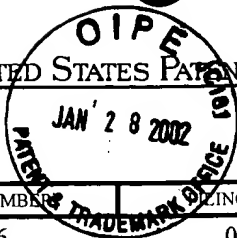
By:

Gary W. McFarron
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200 West Adams St., Suite 2850
Chicago, IL 60606
Telephone: (312) 236-8500

Attorneys for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE


 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/942,236	08/29/2001	Richard A. Hillstead	HILL 100

CONFIRMATION NO. 9154

26568
 COOK, ALEX, MCFARRON, MANZO, CUMMINGS & MEHLER LTD
 SUITE 2850
 200 WEST ADAMS STREET
 CHICAGO, IL 60606

FORMALITIES LETTER



OC000000006879610

Date Mailed: 10/10/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice **MUST** be returned with the reply.*

2/20/2002 XBERHE 00000050 09942236

20021010 09224660

65.00 DP

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